

Customer Name:

ETRAN Application Number:

SBA Loan Number:

Lender's Loan Number:

SBA Guaranty Fee: \$

## **7(a) Loans up to \$350,000 – NON-PLP Processing Method**

*Processed under the "old" Small Loan Advantage Processing Method with  
reduced underwriting requirements and an abbreviated review by the  
Citrus Heights Loan Guaranty Processing Center*

**Required Forms & Eligibility:** *Forms should be obtained from the SBA's website (<https://www.sba.gov/partners/lenders> )*

- ☐ Form 1919-Borrower Information Form - To be filled out by the customer/guarantors, 20% or more owners & anyone hired to manage day-to-day operations of the business
- ☐ Form 1920 - To be filled out by the lender
- ☐ Form 912-Statement of Personal History (if required) – if questions 18 or 19 of Form 1919 are answered "yes"
- ☐ Form 601-Agreement of Compliance- if more than \$10,000 in loan funds is being used for construction
- ☐ SBA Form 159-Fee Disclosure Forms and Compensation Agreement if necessary
  - Must be filed if an Agent is used whether the Lender or Borrower pays the agent fee or if Lender charges an application fee
- ☐ Credit Alert Verification Reporting System - Review CAIVRS for Borrower & Guarantors to ensure no delinquent debt with or prior losses to the government. A copy should be kept in the lender's files. CAIVRS USER ID required:  
<https://entp.hud.gov/caivrs/public/home.html>
- ☐ IRS 4506-T: Request for Tax Transcripts - required & MUST be reviewed prior to first disbursement (note review in credit memo/credit analysis) Required for SELLER on business acquisition
- ☐ Lender is responsible to check the Franchise Directory to determine if it includes the applicant's brand. (See page 102 in [SOP 50 10 5\(K\)](#)) – The Franchise Directory) (See [SBA Notice 5000-17009](#) for **Franchise Review** Process)
- ☐ Check [www.sam.gov](http://www.sam.gov) to ensure Agents & employees involved with the loan are not excluded from doing business with the government (employees need only be checked once)

**Credit Standards & Analysis:** *Credit analysis must be consistent with lender's similarly sized non-guaranteed loan portfolio & must reflect:*

- ☐ Use of Proceeds (sources & uses for entire project is helpful)
- ☐ Credit Score of 140 or greater
- ☐ Brief description of the history of the business
  - Length of time in business
  - Length of time under current management
  - Depth of management experience in this industry or related industry
- ☐ Equity & Debt-to-Worth Analysis
- ☐ Equity Injection Analysis (Startup and Ownership changes – at least 10% required, see page 185 of SOP 50 10 5(K))
- ☐ Collateral List including estimated values
- ☐ Affiliate Consideration
  - Size Determination
  - Outstanding Guaranty Eligibility
  - Will the affiliate positively or negatively impact the borrower's repayment ability
- ☐ Owner/Guarantor Analysis (in line with like sized non-SBA Guaranteed loans)
  - Review of Personal Financial Statement
  - Pro-forma debt-to-worth – must be acceptable based upon lender's policies & procedures for similarly sized non-guaranteed loans

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- Equity injection if required for lender's similarly sized non-guaranteed loans
- Equity injection verification should match verification for lender's similarly sized non-guaranteed loans

☐ Credit Elsewhere/reason for guaranty qualification addressed in Credit Analysis

**Submission Process – Requesting the Guaranty:** *7a applications can be entered in SBA One or ETran with supporting documentation using the document upload feature formatted in the 10-Tab or LGPC Alternative Submission format*

- ☐ Pre-Screen application & submit via SBA One [https://caweb.sba.gov/cls/dsp\\_login.cfm](https://caweb.sba.gov/cls/dsp_login.cfm)
  - Log into SBA One under the Loans option
  - Go to Loan Origination
  - Select Create New Loan
  - Choose Guided Path
  - Enter the Borrower Information
  - Score must meet SBA's minimum requirement (currently 140)
  - If score is below 140 application can be submitted for an SBAExpress Guaranty not to exceed 50% or via full 7a standard processing method
  - If Score is acceptable application may be submitted requesting the increased guaranty percentage
  - Complete SBA One entry
- ☐ Place application information in the 10 Tab ensuring all tabs contain documents
  - If a tab is not applicable or alternative information has been provided make note of that in the packet
  - The 10 Tab can be found online at LGPC: <https://www.sba.gov/CitrusHeightsLGPC>
  - Upload documents using Document button in ETRAN or via Send this File
    - 1919
    - 1920
    - Lender's Credit Memo
    - Additional Documents depending upon the loan type (appraisal/valuation if real estate; P & S if change in ownership)
    - Draft of the Loan Authorization (use the Authorization Wizard to produce)
    - Include SBA ETRAN Application number, name, email & phone number of the lender's contact person in all Send This File submissions

**Closing Procedures:** *SBA documents or bank documents may be used, but they must include SBA specific language; Lenders must use the same closing, disbursement & documentation procedures as for similarly sized non-SBA guaranteed commercial loans. All collateral & other required conditions must be met prior to loan disbursement*

- ☐ Final Loan Authorization will be provided by the Loan Guaranty Processing Center
- ☐ Late Penalty Fee-
  - not to exceed 5% of the regular loan payment
  - must be delinquent more than 10 days
  - SBA will not pay any portion of this fee at time of purchase
- ☐ Prepayment Terms will be outlined in the Loan Authorization
  - No lender pre-payment penalty is allowed
  - Subsidy Recoupment Fee/Pre-Payment Penalty –
    - SBA charges a Subsidy Recoupment Fee on loans with a maturity of 15 years or more (5%, 3%, 1% of the prepayment amount if more than 25% paid in any 1 year)
- ☐ Escrow accounts for taxes &/or insurance cannot exceed 105% of the amount charged in the current year
- ☐ SBA Language for Note & Guaranty
  - ☐ Lender's Note –
    - must be legally enforceable and assignable,
    - have a stated maturity
    - comply with the Interest Rate Requirements for an SBA Note (page 152-159 of SOP 50 10 5(K))
    - is not payable on demand

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- ☐ Contains the following language: *"When SBA is the holder, this Note will be interpreted and enforced under federal law, including SBA regulations. Lender or SBA may use state or local procedures for filing papers, recording documents, giving notice, foreclosing liens, and other purposes. By using such procedures, SBA does not waive any federal immunity from state or local control, penalty, tax, or liability. As to this Note, Borrower may not claim or assert against SBA any local or state law to deny any obligation, defeat any claim of SBA, or preempt federal law."*
- ☐ Lender's Guaranty must contain the following language: *"When SBA is the holder, the Note and this Guarantee will be interpreted and enforced under federal law, including SBA regulations. Lender or SBA may use state or local procedures for filing papers, recording documents, giving notice, foreclosing liens, and other purposes. By using such procedures, SBA does not waive any federal immunity from state or local control, penalty, tax, or liability. As to this Guarantee, Guarantor may not claim or assert any local or state law against SBA to deny any obligation, defeat any claims of SBA, or preempt federal law."*
- ☐ The following language must appear **in all** lien instruments, including mortgages, deeds of trust, and security agreements: (sub-section 3, page 235 of SOP)  
*"The Loan secured by this lien was made under a United States Small Business Administration (SBA) nationwide program which uses tax dollars to assist small business owners. If the United States is seeking to enforce this document, then under SBA regulations:*
  - a) When SBA is the holder of the Note, this document and all documents evidencing or securing this Loan will be construed in accordance with federal law.*
  - b) Lender or SBA may use local or state procedures for purposes such as filing papers, recording documents, giving notice, foreclosing liens, and other purposes. By using these procedures, SBA does not waive any federal immunity from local or state control, penalty, tax or liability. No Borrower or Guarantor may claim or assert against SBA any local or state law to deny any obligation of Borrower, or defeat any claim of SBA with respect to this Loan.*
  - c) Any clause in this document requiring arbitration is not enforceable when SBA is the holder of the Note secured by this instrument."*
- ☐ Borrower's Certifications – provided at the end of the Loan Authorization must be signed by the Borrower
- ☐ Loan Agreement – provided at the end of the Loan Authorization must be signed by the Borrower & the Lender
- ☐ Print a copy of the application using the "REPORTS" button in ETRAN, sign and retain in file
- ☐ Print a copy of the Application Status Report using the "REPORTS" button in ETRAN and retain in the file
- ☐ Payment of the Guaranty fee via [www.pay.gov](http://www.pay.gov)
- ☐ Begin reporting via 1502 (Colson Reporting Services) in the month following SBA issuance of a loan number (report as fully undisbursed if not yet closed)